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SUMMARY RECORD OF SIXTH MEETING OF
QUADRIPARTITE WORKING GROUP ON GERMANY AND BERLIN
FEBRUARY 16, 1960

Participants:France

Mr. Winckler

GermanyMr. Pauls
Mr. OsterheldUnited KingdomViscount Hood
Mr. LoganUnited StatesOER - Mr. Hillenbrand
Mr. McKiernan
L/EUR - Mr. Kearney
SOV - Mr. Dean

Defense - Col. Schofield

The Group first considered the draft report to NATO reviewed at its last meeting. The draft was adopted with a number of minor changes; the principal one, on the initiative of Mr. Winckler, consisted of wording designed to differentiate more clearly between the effort to isolate a set of principles for Berlin and the attempt to draw up a list of minimum operational requirements.

Mr. Hillenbrand then suggested that the discussion turn to the draft Soviet intentions paper tabled at the last meeting (II WMO/8.7). Lord Hood said he presumed there was no need to agree on the specific wording of the report at this stage. Mr. Hillenbrand said that this was his understanding also, so long as there was general agreement on the main lines of the report. Lord Hood said that in his view the paper was unclear on a number of points. He would like to see it more definite than it was on the point that if there were no agreement on Berlin at the summit the Soviets would, in fact, sign a separate peace treaty. Second, it was the British opinion that if a new agreement on Berlin were included the Soviets would not attempt to disavow or break it in the near future. It is true that under these circumstances they might still conclude a separate peace treaty with the Soviet Zone regime, but this possibility could be eliminated in the text of any agreement. The U.K. also accepted the idea that the Soviets would keep up their pressures in the future even in the event of the new agreement on Berlin but felt that

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these pressures would be in other fields rather than on Berlin directly. It was felt that the analysis should not indicate so categorically that the Soviets would not keep a new Berlin agreement.

Mr. Hillenbrand said that it seemed clear that there was a definite difference of opinion on this subject in the Group and asked whether the report should again be returned to the editorial committee for revision. Lord Hood said that he would like to wait a while before doing this; among other things he would like to refer the text back to London. Mr. Pauls agreed with the idea of a delay in reconsideration of this section of the report. Lord Hood questioned the accuracy of the statements of Soviet short-term objectives in the report. Mr. Pauls questioned the suggestion in the draft that the negotiating situation of the Western powers might be somewhat better at the outset of the forthcoming negotiations than previously; he noted that the increased intensity of Soviet threats on a separate peace treaty with the East Zone regime were not a good indication in this regard. Lord Hood questioned whether the report should deal at all with the question of disarmament and East-West relations which were being handled by other groups. Mr. Hillenbrand said these subjects were included in the draft merely as a reminder for the dovetailing operation with the analysis of Soviet intentions in their respective fields arrived at by other working groups which would later be necessary.

Mr. Pauls said the German side would like to urge that a clear distinction be made between disarmament as such and the measures listed as partial disarmament in the "Intentions" draft. Dealing as they did with the questions of troop limitations, zones of prohibition of nuclear weapons, and related questions, these were in actuality problems of European security rather than disarmament. Mr. Hillenbrand said that nomenclature involving the term partial disarmament had now become established but that he understood the intention of Mr. Pauls' remark. Mr. Pauls said that the German side wished to signify its approval of the general line of the intentions paper. He said he would like to suggest that it contain greater emphasis on the Soviet effort to isolate the Federal Republic from its allies through an intensified campaign of defamation and attack and to make it a scapegoat in advance for a possible failure at the summit to reach agreement on Berlin. He would like to suggest that the Group also consider ways in which this problem could be handled. Mr. Hillenbrand said perhaps this issue could be dealt with at least in part in the tactics paper but that it really went beyond the frame of reference of the Working Group and represented what would probably be a continuing problem. He requested that the participants of the subgroup which earlier met on the Soviet intentions paper go over the paper once more in the light of the discussion which had taken place.

Mr. Hillenbrand then submitted the U.S. paper on minimum requirements on Berlin (II WWU/L.9). He said that we did not regard this paper as being in competition with the French paper defining principles governing the allied

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position in Berlin. It was quite possible that the French principles represented the best way of achieving the minimum requirements. He felt, however, that if anyone wished to make proposals on Berlin which would meet the minimum requirements in ways other than those indicated in the French statement of principles, these proposals should not be precluded from consideration. He noted that the German side had already accepted the French statement of principles.

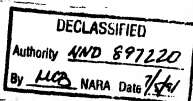
Lord Hood said the U.K. preferred the American approach in attempting to define minimum requirements for the maintenance of our position in Berlin. We should define our practical requirements and then see how best they could be met. The French statement of principles might be the best way of so doing, but it was not yet time to decide that point since there might be other ways. Mr. Winckler said the French felt it was desirable to have a simple and clear statement of principles to judge proposals made on Berlin; for example, the French joined with other powers in rejecting the present Soviet proposals on Berlin in part because they did not meet these principles, but they would be willing to study other Soviet proposals which were based on them. Perhaps more important, the value of the principles was also that they would contribute to clarity in our own thinking; we must be very clear in our own mind before the summit begins what our stand on Berlin will be and what its implications are. Both the study of requirements suggested by the British and Americans and the definition of principles appeared desirable. Mr. Hillenbrand said he did not doubt the principles advanced by the French would provide the main themes for Western consideration of the issues involved in formulating a position on Berlin for the summit.

Discussion turned to the German paper on the status of Berlin (II WAG/L.5). Mr. Hillenbrand noted the continuing difference of approach over the years between the views of the Federal Republic and those of the Western powers. With regard to the present paper, these differences could be expressed on two main points -- our differing views in the legal significance of the action taken by the Allied High Commission in limiting application of the basic law to Berlin, and the action taken by the Western commandants in Berlin in limiting the Berlin constitution.

Mr. Hillenbrand said we were preparing a legal paper of our own on the Federal Republic-Berlin relationship. He noted that differences of opinion on the subject should not and were not expected to affect Western summit positions on Berlin. Our main concern was that the Soviets not be given any opening which would indicate Western acknowledgement of a change in status that had occurred over the years. He noted that the German paper contained no mention of a right of veto for the German side. Mr. Logan said the U.K. considered that the German argument that Berlin was a special type of Land might weaken the allied legal position on Berlin since it could assist the Soviets in demonstrating that the Western powers themselves had been willing to relinquish the Four-Power status which the Soviets now acknowledge.

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Mr. Pauls pointed out that the German paper was for the internal use of the Working Group, that it was a background paper, and that the Germans had no desire whatever to weaken the allied position in Berlin. Mr. Winokler said the French regarded the paper as a useful background document. Mr. Pauls said one object of the paper was to contradict the Khrushchev line that the Berlin situation was "abnormal" by showing the multiplicity of "normal" links between the Federal Republic and West Berlin. Mr. Logan suggested that it might be desirable to prepare a paper giving the legal basis of economic ties between Berlin and the Federal Republic. Mr. Kearney noted that our main problem with the present German paper was the consequences if its argumentation were accepted as correct. If Berlin had become a Land through action of the military governors, this might amount to a breach of the agreement with the Soviets on which our rights in Berlin now stand.

Mr. Hillenbrand suggested that another meeting of the Group take place in a week and that it discuss the German tactics paper (II WWO/5.2) at that time as well as the U.S. paper on minimum requirements in Berlin (II WWO/1.9) and the French papers on principles of a Berlin settlement (II WWO/5.3) and analysis of a hypothetical changed status (II WWO/1.2). In reply to a question from Lord Hood, he noted that the minimum requirements we had advanced in our paper were designed to be applied to a settlement comprising all of Berlin or to any proposal which might be made concerned with the Western sectors of the city only.

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